
By: **Delegates G. Clagett, Barkley, DeBoy, Edwards, Griffith, James,
Leopold, Love, Madaleno, Montgomery, and Weldon**

Introduced and read first time: February 5, 2004

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Public Service Commission - Examination of Accounts, Books, and Records**

3 FOR the purpose of allowing the Public Service Commission to examine all accounts,
4 books, and records that the Commission determines necessary to perform its
5 duties under the Public Utility Companies Article, including the accounts,
6 books, and records of a public service company, a parent of a public service
7 company, an affiliate of a public service company, and an affiliate of a parent of
8 a public service company; defining certain terms; and generally relating to the
9 examination of accounts, books, and records by the Public Service Commission.

10 BY adding to

11 Article - Public Utility Companies
12 Section 6-211
13 Annotated Code of Maryland
14 (1998 Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Public Utility Companies**

18 6-211.

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
20 INDICATED.

21 (2) "AFFILIATE" MEANS A PERSON THAT DIRECTLY OR INDIRECTLY, OR
22 THROUGH ONE OR MORE INTERMEDIARIES, CONTROLS, IS CONTROLLED BY, OR IS
23 UNDER COMMON CONTROL WITH ANOTHER PERSON.

24 (3) "CONTROL" MEANS THE POSSESSION, DIRECT OR INDIRECT, OF THE
25 POWER TO DIRECT THE MANAGEMENT OR POLICIES OF A PERSON.

26 (4) "PARENT" MEANS:

1 (I) A FIRM, HOLDING COMPANY, OR OTHER PERSON THAT
2 ULTIMATELY CONTROLS A PUBLIC SERVICE COMPANY; OR

3 (II) ANY INTERMEDIARY ENTITY THAT CONTROLS A PUBLIC
4 SERVICE COMPANY.

5 (B) THE COMMISSION MAY EXAMINE ALL ACCOUNTS, BOOKS, AND RECORDS
6 THAT THE COMMISSION DETERMINES NECESSARY TO PERFORM ITS DUTIES UNDER
7 THIS ARTICLE, INCLUDING THE ACCOUNTS, BOOKS, AND RECORDS OF:

8 (1) A PUBLIC SERVICE COMPANY;

9 (2) A PARENT OF A PUBLIC SERVICE COMPANY;

10 (3) AN AFFILIATE OF A PUBLIC SERVICE COMPANY; AND

11 (4) AN AFFILIATE OF A PARENT OF A PUBLIC SERVICE COMPANY.

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2004.